



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Gardella *et al.*

Appl. No.: 09/869,565

Filed: October 17, 2001

For: **PTH Receptor and Screening Assay
Utilizing the Same**

Confirmation No.: 4604

Art Unit: 1647

Examiner: Kapust, R. B.

Atty. Docket: 0609.4730000/LBB/M-G

Declaration by Applicant Concerning the Deposit of a Biological Material

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

I, the undersigned, Thomas J. Gardella, declare and state as follows:

Escherichia coli bacteria with plasmid TG-98, comprising DNA encoding a mutant PTH1R receptor, r8Nt, was deposited under the terms of the Budapest Treaty on November 20, 1996. The deposit was made at the American Type Culture Collection, now located at 10801 University Boulevard, Manassas, Virginia 20110-2009, and was given accession number PTA-1136.

Assurance is hereby given that all restrictions on the availability to the public of the deposited plasmid will be irrevocably removed upon the granting of a patent, subject to 37 C.F.R. § 1.808(b).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the

United States Code and that such willful false statements may jeopardize the validity of the present patent application or any patent issued thereon.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


Thomas, J. Gardella

Date: 9-8-04

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

301646_1.DOC